

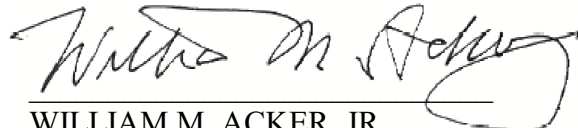
**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

MELVIN FLETCHER,	)	
	)	
Plaintiff,	)	
	)	
vs	)	CV-02-RRA-1541-S
	)	
CAPTAIN BEN KING, et al.,	)	
	)	
Defendants.	)	

**Memorandum Opinion**

A report and recommendation was entered in this action, recommending that this §2254 habeas petition be dismissed. The report and recommendation was mailed to the petitioner and returned to the court, "Not Deliverable." This case is due to be dismissed on two separate grounds. First, the court adopts the report and recommendation and determines that this action is due to be dismissed on the merits. Second, this action is due to be dismissed for lack of prosecution, the petitioner having failed to keep the court apprised of a good, current address, as required. An appropriate order will be entered.

DONE this 14th day of November, 2005.

  
WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE